

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12253MLW

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STEVEN MCDERMOTT, et al.  
Plaintiffs,

v.

FEDEX GROUND PACKAGE SYSTEMS, INC.,  
et al.  
Defendants.

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**DEFENDANT CARDINAL HEALTH 200, INC.  
f/k/a ALLEGIANCE HEALTH CARE, INC.'S ANSWER TO DEFENDANT  
FEDEX GROUND PACKAGE SYSTEM, INC.'S CROSS CLAIMS**

Defendant Cardinal Health 200, Inc. f/k/a Allegiance Healthcare Corporation ("Cardinal"), which is improperly named in the Second Amended Complaint as "Allegiance Healthcare, Inc." hereby responds to the cross-claims of Defendant FedEx Ground Package System, Inc.

**COUNT I  
Contribution – D.Ponce**

1-2. Cardinal states that no response to paragraphs 1 and 2 is required as the count set forth therein against D. Ponce has been dismissed by the Order of the Court; to the extent any response to these allegations is required, the allegations in paragraphs 1 and 2 are denied.

**COUNTS II-V**

3-10. Cardinal does not respond to the allegations contained in paragraphs 3-10 of FedEx's cross claims as they are not directed at this defendant.

**COUNT VI**  
**Contribution – Allegiance Healthcare**

11. Cardinal denies the allegations contained in paragraph 11 of FedEx's cross-claims.
12. Cardinal denies the allegations contained paragraph 12 of FedEx's cross-claims.

**WHEREFORE**, Cardinal requests that this claim be dismissed and that it be awarded costs.

**COUNTS VII-X**

13-20. Cardinal does not respond to the allegations contained in paragraphs 13-20 of FedEx's cross-claims as they are not directed at this defendant.

**DEFENDANT CARDINAL HEALTH 200, INC. f/k/a ALLEGIANCE HEALTHCARE CORP. DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.**

Respectfully submitted,  
Defendant  
CARDINAL HEALTH 200, INC. F/K/A  
ALLEGIANCE HEALTHCARE CORP.  
By its attorneys,

/s/ Erica B. Mecler  
John F.X. Lawler, BBO #546910  
Michael D. Riseberg, BBO #567771  
Erica B. Mecler, BBO #664709  
**ADLER POLLOCK & SHEEHAN P.C.**  
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Boston, MA 02110  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on **September 5, 2007** this document is being filed through the ECF system and, accordingly, is being sent electronically to the registered participants as identified on the Notice of Electronic Filing and a paper copy will be sent to any party indicated as a non registered participant.

/s/ Erica B. Mecler  
Erica B. Mecler, BBO #664709

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